

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

FRED CHISOM,

Plaintiff,

v.

CLALLAM BAY SUPERINTENDENT,

Defendant.

Case No. C04-5590FDB

ORDER ADOPTING REPORT AND
RECOMMENDATION AND
DISMISSING CAUSE OF ACTION

The Magistrate Judge recommends that this cause of action be dismissed for lack of showing Defendant's personal participation in the conduct complained of. Plaintiff contends that he was denied shower and yard because of his dreadlocks. Plaintiff has filed objections in which he simply asserts without support that Defendant did so participate in the complained of conduct. Plaintiff also files a motion to allow him to rectify any deficiencies. The Magistrate Judge has already addressed Plaintiff's attempt to amend. Defendant responds to the objections and the motion noting the recent motion to amend on which the Magistrate Judge ruled and noting that no new arguments on the Defendant's Motion for Summary Judgment have been raised. The Court agrees with the Magistrate Judge's recommendation. ACCORDINGLY,

IT IS ORDERED:

1. The Court adopts the Report and Recommendation;
2. Defendant's Motion for Summary Judgment is GRANTED, and this cause of action is DISMISSED with prejudice.

